

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI**

ALMINA ZOLJ,)	
)	
Plaintiff,)	
)	
v.)	No. _____
)	
STEAK 'N SHAKE, INC.)	
f.k.a. STEAK 'N SHAKE)	
OPERATIONS, INC.)	
)	
Defendant.)	
)	
Please Serve Summons on:)	
CSC- Lawyers Incorporating)	
Service Company)	
221 Bolivar Street)	
Jefferson City, MO 65101)	

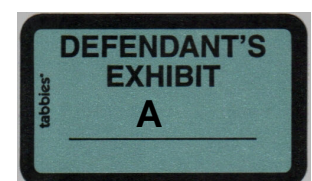
PETITION

Comes now the Plaintiff, ALMINA ZOLJ, by and through her attorneys, PRATT & TOBIN, P.C., and for her cause of action against the Defendant, STEAK 'N SHAKE, INC., f.k.a. STEAK 'N SHAKE OPERATIONS INC., states as follows:

1. Plaintiff ALMINA ZOLZ,(hereinafter "PLAINTIFF") is a resident of St. Louis County, Missouri.

2. Defendant STEAK 'N SHAKE, INC., f.k.a. STEAK 'N SHAKE OPERATIONS INC. (hereinafter, DEFENDANT) is a Missouri business in good standing and authorized to do business in the state of Missouri that owns, maintains, and operates a restaurant located at 3226 Telegraph Road, St. Louis Missouri, 63125.

3. Venue is proper in the Circuit Court of the County of St. Louis pursuant to Missouri's general venue statute, Section 508.010 RSMo because Plaintiff's injuries occurred at 3226 Telegraph Road, St. Louis County, Missouri, 63125.



4. That on or about September 17, 2018, Defendant possessed, operated, managed, maintained and controlled or had a duty to possess, operate, manage, maintain, and control, both directly and indirectly, individually and through its agents, servants and employees, a certain sidewalk located at or around their premises at 3226 Telegraph Road, St. Louis County, Missouri, 63125.

5. That on or about September 17, 2018, Plaintiff was an invitee lawfully at the aforementioned time and place and prior thereto, the Defendant, well knowing its duties in this regard, carelessly and negligently caused and permitted said premises to become and remain in a dangerous condition for persons using said premises, although the Defendant, knew, or in the exercise of ordinary and reasonable care should have known, of said dangerous condition.

6. That at the aforesaid time and place, the Plaintiff, was lawfully traversing the sidewalk while present at or around 3226 Telegraph Road, St. Louis County, Missouri, 63125.

7. That the Defendant, was then and there guilty of one or more of the following careless and negligent and/or omissions:

- a. Improperly operated, managed, maintained and controlled the aforesaid premises; and/or
- b. Allowed and permitted a sidewalk to sink, crack and/or shift at disparate heights, and/or
- c. Failed to properly and adequately erect barriers along the stairway; and/or
- d. Failed to make a reasonable inspection of the aforesaid sidewalk, when the Defendant knew, or should have known, that said inspection was necessary to prevent injury to the Plaintiff; and/or
- e. Failed to warn the Plaintiff of the dangerous condition of said sidewalk, when the Defendant knew, or in the exercise of ordinary care should have known, that said warning was necessary to prevent injury to the Plaintiff; and/or

f. Failed to fix or repair the sidewalk.

8. That on the aforementioned date and as a result of the aforesaid acts and/or omissions of the Defendant, the Plaintiff, tripped over the dangerous sidewalk condition causing Plaintiff to fall and sustain injuries to her wrist, shoulder, knee, neck and back, and incur medical bills in excess of \$15,755.00, continue to incur medical bills in the future, as well as a loss of income causally related to her injuries.

9. That as a direct and proximate result of one or more of the aforesaid careless and negligent acts and/or omissions of the Defendant, the Plaintiff then and there sustained severe and permanent injuries, both externally and internally, and was, and will be hindered and prevented from attending to usual duties and affairs and has lost, and will in the future lose, the value of that time as aforementioned. Plaintiff also suffered great pain and anguish, both in mind and body, and will in the future continue to suffer. Plaintiff further expended and became liable for, and will expend and become liable for, large sums of money for medical care and services endeavoring to become healed and cured of said injuries and has sustained lost income and disability.

WHEREFORE, the Plaintiff, ALMINA ZOLJ, demands judgment against the Defendant, STEAK 'N SHAKE, INC., f.k.a. STEAK 'N SHAKE OPERATIONS, INC., in a sum in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) and for costs of suit.

PRATT & TOBIN, P.C.

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**PLAINTIFF DEMANDS
TRIAL BY JURY**